

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

Prisons Department - NHRC – Case No.139/1/2006-2007-CD/SCN – Death of Convict Prisoner G.Subba Rao died on 14-06-06 at Central Prison, Rajahmundry - NHRC recommendation to pay a sum of Rs.1,00,000/- as monetary relief to the next kin of the deceased – Sanction accorded – Orders – Issued.

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HOME (PRISONS.HRC) DEPARTMENT

G.O.RT.No. 1601

Dated:24-09- 2011.  
Read the following:-

1. From the Joint Registrar(Law),National Human Rights Commission New Delhi Show Cause Notice dated 15-02-2011 in case No.139/1/2006-07-CD.
2. From the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad Lr.No.SB3/712/2006 , dated 14-07-2011.
3. Government letter No.5845/Pri.HRC/2011, dated 22-07-11.
4. From the Asst. Registrar(Law),National Human Rights Commission, New Delhi letter dated 25-08-2011 in case No 139/1/2006-07-CD.

**ORDER:**

In the reference first read above, the National Human Rights Commission has issued Show Cause Notice u/s 18(c) of Protection of Human Rights Act 1993 to the Chief Secretary, Government of Andhra Pradesh calling upon him to show cause as to why monetary relief should not be recommended to be paid to the next kin of the deceased, G.Subba Rao.

2. In the reference second read above, the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad has furnished reply to the Show Cause Notice. Accordingly the Government vide letter third read above has furnished the above report to NHRC for placing the same before the Commission.

3. In the reference fourth cited, the Commission has stated that the Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad vide letter dated 14-07-11 has informed that the prisoner, suffering from HIV+ve and bilateral hydrocele, though he was being provided treatment, committed suicide by self-inflicted injury on his left hand with the edge of the steel glass provided to him for drinking water. It is also explained that due to shortage of guarding staff, it is very difficult to have close watch on the prisoners, to avoid such incidents. However, it is left to the discretion of the Commission to recommend the compensation to the next kin of the deceased prisoner.

4. The Commission considered the reply and states that the State is under duty to prevent a prisoner in its custody from doing any harm to himself. For this breach of the duty to take care of the prisoner, the State must bear the liability and hence recommended that a sum of Rs.1,00,000/-(Rupees one lakh only) be paid as compensation to the next kin of the deceased by the

State Government within six weeks and submit compliance report along with proof of payment by 12-10-2011 and a report on action taken against the erring jail officials.

5. Government after careful examination, hereby accord sanction for an amount of Rs 1,00,000/- (Rupees one lakh only) towards payment of compensation to the legal heir of the deceased Prisoner, G.Subba Rao as directed by the National Human Rights Commission, New Delhi.

6. The amount sanctioned in Para (5) above, shall be debited to the Head of Account "2056 Jails – 101. Jails – SH (04) Jails – 500 other charges -501 Compensation (Non Plan) and shall be met from provision available in Budget Estimate 2011-12.

7. The Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, is authorized to draw the amount sanctioned in para 5 above and to place at the disposal of Collector & District Magistrate, Krishna for making payment to the legal heirs of the deceased Convict Prisoner, G.Subba Rao and submit compliance report along with the proof of payment and a report on action taken against erring jail officials by 03-10-2011 without fail as the due date for submission of report is 12-10-2011.

The Director General and Inspector General of Prisons and Correctional Services Andhra Pradesh, Hyderabad, shall take necessary action accordingly.

This order issues with the concurrence of the Finance (Exp.Home) Department, vide their U.O.No.2880/380/A2/Exp.Home/2011, Dated: 24-09-2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**B.P. ACHARYA**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad.

The Joint Registrar (Law), National Human Rights Commission, Faridkot House, Copernicus Marg, New Delhi.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Accountant General, (A&E), A.P., Hyderabad.

The Pay & Accounts Officer, Hyderabad.

The District Treasury Officer, Krishna.

The Collector & District Magistrate, Krishna.

Copy to:

The Principal Secretary to Government(Political), General Administration Department.

The Finance (Exp.H&L) Department.

The Finance (BG) Department.

SF/SC.

// Forwarded By Order //

SECTION OFFICER